

REMARKS

The Examiner has stated that the term wire harness is unclear, as it is not clearly defined in claim 1 and the limitation lacks sufficient antecedent basis. The applicant has amended claim 1 to include that the electronic module includes a wiring harness. The support for this amendment, and the wire harness in general may be found in the specification as originally filed on page 5, lines 12 through 19. This amendment to the claim provides sufficient antecedent basis for the wiring harness and does not constitute preamble. No new matter has been added.

The Examiner has rejected claims 1-10 under 35 U.S.C. § 103(a) as being unpatentable over Maue et al. (US 5,478,244) in view of Suzuki et al. (US 6,870,096 B2). The applicant respectfully disagrees as neither application discloses a PCB connecting unit which directly integrates the first PCB with the I/O terminals of the second PCB as specified in claim 1. Additionally, Suzuki et al. does not make up for the inability of Maue et al. to form a structure using one connector for each wire harness.

The Examiner has cited Figure 3 of Suzuki et al. as disclosing the PCB connecting unit of claim 1. To match the application disclosure to the patent, the PCB connecting unit in claim 1 is equated to the electronic unit 13 of Suzuki. The Suzuki electronic unit is used to provide power to exterior circuits including controls for an engine, automatic transmission, etc. (Suzuki, Column 8, lines 1-3) and is only in electrical contact with the lower wiring board 3 (equated to the second PCB of the claimed invention) through a terminal 58.

A unit (as in Suzuki) cannot serve to directly integrate two electronic boards together, when the unit itself only contacts a single electronic board. The external connections by the electric unit 13 in Suzuki, contact the external circuits through terminals 25 which are not integrated with either Suzuki wiring board. The actual input/output terminals 5 of the Suzuki wiring boards 2, 3 exit the junction box and are completely separate from each other.

Additionally, Suzuki et al. requires the use of two connectors for a single wire harness. On Suzuki, one connector 8 is located above the first PCB and another connector 8 is located below the second PCB. In the current application, only the lower side of the junction box contains connector housing 51, 52. Claim 1 has been amended to more clearly show this distinction by specifying that the connectors integrate the PCB circuits to create this configuration.

The original specification states that the junction box circuit of the upper PCB 10 and the electronic module circuit of the lower PCB 20 are constructed in one connector. (See page 5, lines 12 through 19.) This is what makes it possible to construct a circuit with one connector for each harness. (See the original specification on page 5, lines 31 through 35.) The Examiner's equated configuration does not allow for module integration into one multi-pole connector and does not resolve the deficiencies of Maue in this effect.

The Federal Circuit has stated that "rejections on obviousness cannot be sustained with mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006).

The ultimate determination of patentability is based on the entire record, by a preponderance of evidence, with due consideration to the persuasiveness of any arguments and any secondary evidence. *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992).

When an applicant submits evidence, whether in the specification as originally filed or in reply to a rejection, the examiner must reconsider the patentability of the claimed invention. The decision on patentability must be made based upon consideration of all the evidence, including the evidence submitted by the examiner and the evidence submitted by the applicant. A decision to make or maintain a rejection in the face of all the evidence must show that it was based on the totality of the evidence. Facts established by rebuttal evidence must be evaluated along with the facts on which the conclusion of obviousness was reached, not against the conclusion itself. *In re Eli Lilly & Co.*, 902 F.2d 943, 14 USPQ2d 1741 (Fed. Cir. 1990).

Claims 1 through 10 are pending in the application upon entry of the above amendments. Support for the claims and amendments exist in the specification as filed and in the specification and claims of the PCT application to which this application claims priority under 35 USC § 371. No new matter has been added. Favorable consideration of the pending claims is respectfully requested.

Should the Examiner believe that a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

In the event any fees are due in connection with the filing of this document, the Commissioner is hereby authorized to charge said fees to our Deposit Account No. 18-0988.

The claims as amended are not anticipated or obvious over the applied or prior art. The application is now believed to be in a condition of allowance. Early action to that effect is eagerly solicited.

Respectfully submitted,

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